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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 000245

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DEPARTMENT FOR EUR(DICARLO), EUR/SCE(HOH/FOOKS); NSC FOR
BRAUN; OSD FOR BEIN

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TAGS: [PGOV](#) [PREL](#) [PINR](#) [EU](#) [BK](#)

SUBJECT: BOSNIA: TIHIC ADAMANT ON REJECTION OF POLICE REFORM

REF: A. SARAJEVO 226

[1](#)B. SARAJEVO 204

[1](#)C. 07 SARAJEVO 2670

Classified By: Ambassador Charles L. English. Reasons: 1.4 (b), (d)

[1](#)1. (C) Summary: The Ambassador telephoned Party for Democratic Action (SDA) president Sulejman Tihic February 7 to urge him to reconsider his rejection of the current police reform plan. The Ambassador stressed the importance of reaching consensus on police reform to allow for the signing of a Stabilization and Association Agreement (SAA) with the EU. Tihic expressed his respect for the USG and all it has done for the Bosniaks, but stated he would not change his position. Tihic said a reversal of his position would be tantamount to giving in to the "dictatorship" of Republika Srpska (RS) Prime Minister Milorad Dodik and the end to meaningful reforms to strengthen the State. At its sixth and final meeting on February 7 the Police Reform Working Group failed to reach consensus on the draft laws creating the seven state level police bodies called for in the Sarajevo Action Plan and Laktasi Agreement. The Working Group resolved that its report would include the various irreconcilable alternatives advanced by its members and defer to the Council of Ministers to decide how to proceed on the legislation. End Summary

Ambassador calls Tihic on Police Reform

[1](#)2. (C) As part of Quint efforts to salvage the police reform process and enable the signing of an SAA (Ref A), the Ambassador called SDA President Tihic on February 7 in Slovenia, where Tihic is receiving cancer treatment. The Ambassador urged Tihic to reconsider his rejection of efforts to implement the police reform agreement (Ref B). Acknowledging that the current police reform proposal leaves key issues unanswered, the Ambassador stressed that it nonetheless is the key impediment to signing the SAA which will in turn open the possibility for meaningful and far reaching reforms in the future. The Ambassador reminded Tihic that an SAA signing would greatly increase international community leverage to force Dodik and the RS to accept additional reforms in police, justice and economic sectors.

[1](#)3. (C) Tihic replied that, in his view, giving in on police reform would be tantamount to giving in to the "dictatorship" of Milorad Dodik and establishing three ethnic police forces in Bosnia. Although Dayton left Bosnia with three armies and

three police forces, Bosnia now has a single armed forces. Tihic asked why, twelve years after Dayton, Bosnia should be allowed to enter the EU with three ethnic police forces, including an RS police which committed genocide in Srebrenica. Tihic said it was shameful how the EU had given up so easily on its three police principles and that it would be better to drop police reform conditionality altogether rather than accept a flawed agreement. Tihic characterized acceptance of the agreement as "the beginning of the end," and would reward Dodik for a year of obstructionism and anti-Dayton behavior. Dodik has already established an RS special prosecutor and soon he will have a special police to arrest those who oppose him, Tihic said. He reiterated that he would not change his position and that the SDA is unified in its opposition to the work of the Police Reform Working Group.

Police Reform Working Group Fails to Reach Consensus

14. (C) After six marathon meetings the Police Reform Working Group (PRWG), at its final session on February 7, was unable to reach consensus on the draft legislation establishing the seven police institutions required by the Sarajevo Action Plan and Laktasi Agreements (Ref C). By the fifth meeting it had become clear that consensus would not be reached on key issues, largely due to the insistence of SDA House of Peoples Delegate Hazim Rancic, serving as the representative of the Federation Prime Minister on the PRWG, on adding language that would extend the competencies of these institutions to the entity, cantonal, and Brcko District Levels. PRWG Chairman and Minister of Civil Affairs Sredoje Novic proposed incorporating all suggested alternatives into the document

SARAJEVO 00000245 002 OF 002

and annotating which PRWG representatives supported each one. Throughout the fifth meeting, Rancic had no support for most of his suggestions. At the beginning of the sixth meeting, Sead Lisak, Deputy Director of the State Investigation and Protection Agency and fellow SDA member, announced he was to changing all his votes to support Rancic.

15. (C) The PRWG failed to resolve the key question of whether the new bodies would have any competencies over entity, cantonal, or Brcko District police. There were other contentious issues including an Alliance of Independent Social Democrats (SNSD) suggestion to create two deputy director positions for several of the institutions to ensure an ethnic triad at the head of each. SNSD also proposed specifying that decisions made by the Independent Board meet the approval of each ethnic group. Croat PRWG members supported both SNSD proposals. The Party for Bosnia and Herzegovina (SBiH) was alone in its support for transitional language stipulating that the seven new state level institutions would acquire competencies over entity, cantonal, and Brcko District police after future constitutional reform.

16. (C) The PRWG decided on February 7 to deliver the bracketed working draft of the legislation to the Council of Ministers along with a letter stating consensus could not be reached. PRWG Chairman, and SNSD Serb, Sredoje Novic said that it would be up to the Council of Ministers to decide how to harmonize the draft or return it to the PRWG for further negotiations.

Comment

17. (C) Tihic seems prepared to risk being singled out for blocking the SAA. He has clearly seized on the opportunity to use the issue to undermine Haris Silajdzic and his SBiH, perhaps with the intention of using the issue in the SDA campaign for October municipal elections. Given his serious health problems Tihic may also be concerned about his legacy and unwilling to be remembered as having conceded to Dodik.

While Tihic is correct that the ongoing work of the PRWG legislation does not achieve meaningful reform, he is wrong in his assertion that it would establish three ethnic police forces. End Comment
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